

The Courts Opinion in the Case of M^r Sharpe

The s^d matter being thoroughly and maturely Debated and Considered it is the Opinion of the Hon^{ble} Thomas Brooke Esq that the Petition does not properly lye before this Court, but that the Petition^r ought to be Referr'd to take his Course at Law.

The hon^{ble} Col^l: John Courts is of the Same Opinion.

The hon^{ble} Col^l: Addison is of Opinion that the Supersedeas and Writt of Error are good Writts and therefore he ought not to be detain'd by the Sherriff.

The hon^{ble} Thomas Tench Esq is of Opinion that the Supersedeas being directable to the Sherriff of Talbot County the Sherriff of Ann Arrundell County was not Obligated to take Notice thereof.

The hon^{ble} Col^l: Charles Hutchins is of Opinion that the Supersedeas produced is a good Writt and that the s^d Sharp ought not to be detain'd in Custody.

The hon^{ble} Col^l: Nicholas Greenberry is of the Same Opinion.

The hon^{ble} S^r Thomas Laurence is of Opinion that the Supersedeas produced directed to the Sherriff of Talbot County could not debarr the Sherriff of Ann Arrundell County from taking M^r Sharp in Execution upon the Former Judgm^t

His Ex^{coy} the Gov^r is of Opinion that this Court have noe proper nor legall Cognizance of the s^d Writts in the way now brough[t] therefore ought to take his proper Course at Law.

Henry Denton Qui tam ag^t Sloop Rob^t and Anne

M^r Smith being Concern'd to defend this Cause and being of the house of Burgesses and now busye in the s^d Service is therefore Continued for Some Short time.

[62] S^r Thomas Laurence Motion in the Case of Col^l: Greenberry.

Moved by M^r Sollicito^r Gen^l in behalfe of the hon^{ble} S^r Thomas Laurence Barron^t Secry^r how that an Action of the Case had been brought by the s^d S^r Thomas in the Prov^l Court of this Province ag^t the hon^{ble} Col^l: Nich^o Greenberry to w^{ch} the Def^t pleaded to the Jurisdiction of the Court and was adjudged by the s^d Court they had no Cognizance thereof ag^t which s^d Judgm^t the Plantiff^e Appealed to his Ex^{coy} the Govern^r and Councill but was denied the Same, whereby the s^d S^r Thomas is left Remediless unless Relieved by this hon^{ble} Court, therefore Prays the Advice of this Court whether the s^d S^r Thomas ought to be admitted to his s^d Appeal or had any Relief for the Same in this Province and thereupon he produced a Copy of the Record and Proceedings of the s^d Cause from under the hand of the s^d Prov^l Clerk and lesser Seal of the Province, The plea and Judgm^t whereon was Read and